

CBSC STAFF REPORT
2004 Annual Cycle Monograph Item 18

PROPOSING STATE AGENCY:

Office of the State Fire Marshal (SFM 02/04)

APPLICATION AFFECTED:

Asylums; jails; hospitals; mental hospitals; homes for the elderly; children's nurseries; children's homes or institutions, schools, or any similar occupancies of any capacity; assembly occupancies for 50 or more persons; motion picture or television production facilities; homes or institutions for the housing of any person of any age for protective social care and supervision.

SUBJECT:

Adopt the most recent edition of the model code in effect at the submittal of the 2004 Annual Cycle, the 2003 Uniform Plumbing Code (UPC), and repeal the 2000 UPC.

- In cooperation with HCD, amend Chapter 5 with provisions for installation of residential water heaters
- Amend various sections in Chapters 12, 14, and 15 to update references to NFPA and other parts of Title 24

FINDINGS:

CBSC Code Advisory Committee Comments/Recommendations

CBSC's Plumbing, Electrical, Mechanical, and Energy Code Advisory Committee (PEME CAC), recommended approve as submitted and resubmitted

(See pages 3-159 through 3-173 of the May, 2005 Code Change Monograph, Volume III.)

Public Comment

No comments received

Staff Findings:

SFM's submittal appears to be compliant with Administrative Procedure Act and Building Standards Law. (See Updated Informative Digest and Final Statement of Reasons, which follows this report.)

COMMISSION ACTION:

CBSC staff recommends that the Commission disapprove the submittal of Item 18 to avoid violation of Health and Safety Code §18930, Criterion 1, conflict between codes. While SFM completed their rulemaking because of their limited regulations in Part 5, other agencies received a volume of public comment that prohibited a timely response. One agency has withdrawn its proposal for adoption of the 2003 UPC, and two others have been unable to complete their rulemaking within the time frame established by California rulemaking law.

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amend**
- ❖ **Further Study**